

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Baxley

Mailed: July 6, 2004

Opposition No. **91154661**

Bridgestone/Firestone North  
American Tire, LLC

v.

Orteck International, Inc.

**Andrew P. Baxley, Interlocutory Attorney:**

Opposer's motion (filed April 16, 2004) for leave to amend its notice of opposition is hereby granted as conceded. See Trademark Rule 2.127(a). Opposer's amended notice of opposition, which was filed concurrently with such motion, is now opposer's operative pleading herein. Applicant is allowed until **thirty days** from the mailing date of this order to file an answer to the amended notice of opposition.

The Board, in exercising its inherent authority to control the scheduling of cases on its docket, deems the filing of opposer's motion for leave to amend its notice of opposition to have tolled the running of all dates herein.<sup>1</sup>

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<sup>1</sup> Accordingly, opposer's motion (filed April 30, 2004) to suspend proceedings herein pending the Board's decision in connection with the motion for leave to amend its pleading is moot.

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Accordingly, discovery and trial dates are hereby reset as follows.

DISCOVERY PERIOD TO CLOSE: **10/1/04**

Plaintiff's thirty-day testimony period to close: **12/30/04**

Defendant's thirty-day testimony period to close: **2/28/05**

Plaintiff's fifteen-day rebuttal period to close **4/14/05**

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.